

*Soc 4-01.4 John Goldfarb,  
Please Come Home*

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## ***Stay Home, John Goldfarb***

MAYBE it's true that the good fathers of Notre Dame were ill advised in going to court to stop the showing of the movie, "John Goldfarb, Please Come Home." And that the net effect will be to make the university appear stuffy and give the film — if and when it is released — a box office shot in the arm comparable to being banned in Boston.

But those are not the real issues in the "John Goldfarb" case. Neither is the question one of movie censorship, nor of how much money 20th Century-Fox has invested, nor even of whether the Notre Dame football team winds up looking heroic or foolish.

The issue, as New York Supreme Court Justice Henry Clay Greenberg rightly pointed out in granting a temporary injunction against the book and movie, is this:

— Whether a commercial organization, for its own profit, can

exploit the name of another institution without its consent.

Justice Greenberg calls this an illegal invasion of privacy. He says the obvious purpose of using the name of Notre Dame in the book and picture was to swell the producers' profits. And he says the university is within its rights in refusing to let 20th Century-Fox exploit the school's fame for the studio's enrichment.

On this issue, we hold with Justice Greenberg. Notre Dame is a private institution. Its name and reputation are, within the limits of Constitutional guarantees of free speech, its own property. The case is exactly the same as if a work of fiction, using the real name of an individual, held him up to ridicule.

"John Goldfarb" may be, as its makers insist, a harmless spoof. But it is up to Notre Dame University, not 20th Century-Fox, to decide whether it wants to help the studio's stockholders get rich.